

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

JUAN REYES,

Plaintiff,

v.

CIVIL NO. 1:10CV112  
(Judge Keeley)

WARDEN JAMES N. CROSS and  
CAPTAIN T. BERGAMI,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS (DKT. 51),  
GRANTING MOTION FOR SUMMARY JUDGMENT (DKT. 26),  
AND DISMISSING COMPLAINT WITH PREJUDICE

The plaintiff, Juan Reyes ("Reyes"), who is an inmate in the custody of the federal Bureau of Prisons ("BOP"), filed this pro se civil rights complaint against two BOP officials, Warden James Cross ("Cross") and Captain T. Bergami ("Bergami"). On July 25, 2011, United States Magistrate Judge James E. Seibert issued a Report and Recommendation ("R&R") concluding that the motion for summary judgment filed by Cross and Bergami should be granted because Reyes both failed to exhaust the administrative remedies provided by the BOP and failed to state any possible claim for relief in his complaint.

The R&R specifically directed Reyes to file any objections to the Magistrate Judge's conclusions within fourteen days of receiving service of the report. Reyes filed no objections, and the time to do so has expired. Accordingly, the Court **ADOPTS** the R&R

**ORDER ADOPTING REPORT AND RECOMMENDATION**

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(dkt. 51), **GRANTS** the motion for summary judgment (dkt. 26), and **DISMISSES** this case **WITH PREJUDICE**.

It is so **ORDERED**.

Pursuant to Fed. R. Civ. P. 58, the Court directs the Clerk to enter a separate judgment order and to transmit copies of it and this order to the pro se plaintiff via certified mail, return receipt requested.

DATED: August 15, 2011

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE